

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER LAGP:116US
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/533,620
INTERNATIONAL APPLICATION NO. PCT/EP2003/011346	INTERNATIONAL FILING DATE October 14, 2003	PRIORITY DATE CLAIMED October 31, 2002 (DE20216929.4)
TITLE OF INVENTION STEREOMICROSCOPE OR ADDITIONAL ELEMENT FOR A STEREOMICROSCOPE		
APPLICANT(S) FOR DO/EO/US Heinz Zimmerman, Ruedi Rotterman & Peter Bertschi		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol>		
Items 13 to 23 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>22. <input type="checkbox"/> Express Mail Label No.</li> </ol>		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10/533,620	PCT/EP2003/011346	LAGP:116US

## 23. Other items or information:

Acknowledgement postcard

The following fees have been submitted:			CALCULATIONS	PTO USE ONLY
24. <input type="checkbox"/> Basic national fee .....	\$300	\$	\$0.00	
25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)....	\$0	\$	\$0.00	
All other situations.....	\$200			
26. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)....	\$0	\$	\$0.00	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....	\$100			
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....	\$400			
All other situations.....	\$500			
<b>TOTAL OF 24, 25 and 26 =</b>		\$	<b>\$0.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
34 - 100 =	0 /50 =	0	x \$250.00	\$ \$0.00
Surcharge of <b>\$130.00</b> for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).			\$	<b>\$130.00</b>
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	- 20 =	0	x \$50.00	\$ \$0.00
Independent claims	3 - 3 =	0	x \$200.00	\$ \$0.00
MULTIPLE DEPENDENT CLAIMS (if applicable)	<input type="checkbox"/>	+	\$360.00	\$ \$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>			\$	<b>\$130.00</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.			\$	<b>\$0.00</b>
<b>SUBTOTAL =</b>			\$	<b>\$130.00</b>
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).			\$	<b>\$0.00</b>
<b>TOTAL NATIONAL FEE =</b>			\$	<b>\$130.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property			\$	<b>\$40.00</b>
<b>TOTAL FEES ENCLOSED =</b>			\$	<b>\$170.00</b>
			Amount to be refunded:	\$
			Amount to be charged:	\$

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

a.  A check in the amount of \$ \$170.00 to cover the above fees is enclosed.

b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0822. A duplicate copy of this sheet is enclosed.

d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.**

SEND ALL CORRESPONDENCE TO:

Michael L. Dunn  
Simpson & Simpson, PLLC  
5555 Main Street  
Williamsville, New York 14221  
(716) 626-1564 Phone  
(716) 626-0366 Fax



SIGNATURE

Michael L. Dunn

NAME

25330

REGISTRATION NUMBER

April 11, 2006

DATE

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
**LAGP116US**

In Re Application Of: **Heinz Zimmerman et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/533,620	April 29, 2005	n/a	24041	n/a	1763

**Invention: STEREOMICROSCOPE OR ADDITIONAL ELEMENT FOR A STEREOMICROSCOPE**

**Mail Stop Missing Parts**

**COMMISSIONER FOR PATENTS:**

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

February 16, 2006

*Date*

Enclosed herewith for filing are the following:

- A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- A properly signed oath or declaration in compliance with 37 CFR 1.63.
- An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- Other (list):

1) Acknowledgement Postcard

1) Assignment

1) Recordation Form Cover Sheet (\$40.00 fee included with \$130.00 surcharge in same check)

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
**LAGP116US**

**In Re Application Of: Heinz Zimmerman et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/533,620	April 29, 2005	n/a	24041	n/a	1763

**Invention: STEREOMICROSCOPE OR ADDITIONAL ELEMENT FOR A STEREOMICROSCOPE**

**TO THE COMMISSIONER FOR PATENTS:**

## Mail Stop Missing Parts

Completion of application fees as calculated below:

- Utility application basic fee \_\_\_\_\_
- Design application basic fee \_\_\_\_\_
- Search Fee \_\_\_\_\_
- Examination Fee \_\_\_\_\_
- Total number of independent claims = \_\_\_\_\_
- Total number of claims = \_\_\_\_\_
- Multiple dependent claims \_\_\_\_\_
- Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$130.00**
- Petition and fee for filing by other than all the inventors or a person not the inventor \_\_\_\_\_
- Fee for processing an application filed with a non-English language specification \_\_\_\_\_
- Fee for processing and retention of application \_\_\_\_\_

**Total completion of application fees** **\$130.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

One month       Two months       Three months       Four months       Five months

from:

until:

Date

### Total time extension fees

**Total fees due**

**\$130.00**

Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Large Entity)

Docket No.  
LAGP116US

In Re Application Of: **Heinz Zimmerman et al.**

Application No. <b>10/533,620</b>	Filing Date <b>April 29, 2005</b>	Examiner <b>n/a</b>	Customer No. <b>24041</b>	Group Art Unit <b>n/a</b>	Confirmation No. <b>1763</b>
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Invention: **STEREOMICROSCOPE OR ADDITIONAL ELEMENT FOR A STEREOMICROSCOPE**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of **\$170.00** is to be paid as follows:

- A check in the amount of the fee is enclosed.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **50-0822**
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-0822**
- Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**



*Signature*

Dated: **April 11, 2006**

Michael L. Dunn  
Reg. No. 25330  
Simpson & Simpson, PLLC  
5555 Main Street  
Williamsville, New York 14221  
(716) 626-1564 Phone  
(716) 626-0366 Fax

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

April 11, 2006

*(Date)*



*Signature of Person Mailing Correspondence*

**Michael L. Dunn**

*Typed or Printed Name of Person Mailing Correspondence*

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE

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Page 1 of 2

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/533,620	Heinz Zimmerman	LAGP:116US

RECEIVED

FEB 24 2006

SIMPSON & SIMPSON

24041  
SIMPSON & SIMPSON, PLLC  
5555 MAIN STREET  
WILLIAMSVILLE, NY 14221-5406

INTERNATIONAL APPLICATION NO.

PCT/EP03/11346

I.A. FILING DATE	PRIORITY DATE
10/14/2003	10/31/2002

CONFIRMATION NO. 1763  
371 FORMALITIES LETTER



\*OC000000018049852\*

Date Mailed: 02/16/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/29/2005
- English Translation of the IA filed on 04/29/2005
- Copy of the International Search Report filed on 04/29/2005
- Preliminary Amendments filed on 04/29/2005
- Information Disclosure Statements filed on 09/30/2005
- Oath or Declaration filed on 04/29/2005
- Request for Immediate Examination filed on 04/29/2005
- U.S. Basic National Fees filed on 04/29/2005
- Substitute Specification filed on 04/29/2005
- Priority Documents filed on 04/29/2005
- Specification filed on 04/29/2005
- Claims filed on 04/29/2005
- Abstracts filed on 04/29/2005
- Drawings filed on 04/29/2005

*MZK*  
*3/16/06*

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

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Telephone: (703) 308-9140 EXT 202

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/533,620	PCT/EP03/11346	LAGP:116US

FORM PCT/DO/EO/905 (371 Formalities Notice)